

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONALD F. DUPONT, JR., et al.,

Plaintiffs,

v.

ARIK S. LEVY, et al.,

Defendants.

No. 2:24-cv-02591-DAD-JDP (PS)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION

(Doc. No. 21)

Plaintiffs are individuals appearing *pro se* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 10, 2024, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed, without prejudice, due to plaintiff's failure to comply with court orders and failure to prosecute this action. (Doc. No. 21.) Specifically, plaintiff has failed to comply with the court's October 18, 2024 order, in which plaintiffs were ordered to file status reports regarding the scheduling of this case, and the court's November 19, 2024 order requiring plaintiffs to show cause why sanctions should not issue due to their failure to comply with the court's October 18, 2024 order. (Doc. Nos. 11, 20.) The magistrate judge expressly warned plaintiffs that their failure to respond to the November 19,

2024 order to show cause would result in a recommendation that this action be dismissed. (Doc. No. 20 at 2.)

The pending findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (Doc. No. 21 at 3.) To date, no objections have been filed, and the time in which to do so has passed.

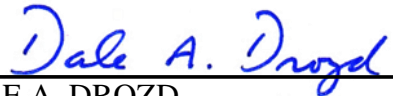
In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the findings and recommendations are supported by the record and by proper analysis.

Accordingly:

1. The findings and recommendations issued on December 10, 2024 (Doc. No. 21) are adopted in full;
2. This action is dismissed, without prejudice, due to plaintiffs' failure to comply with court orders and failure to prosecute this action; and
3. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: April 25, 2025



DALE A. DROZD
UNITED STATES DISTRICT JUDGE